



Legislation Text

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Int. No. 120-A

By Council Members DeBlasio, Baez, Boyland, Brewer, Clarke, Diaz, Gerson, Monserrate, Reyna, Liu, Serrano and Stewart; also Council Members Gennaro, Jackson, Koppell, Lopez, Martinez, Quinn, Rivera, Vann, Sanders and Comrie

A Local Law to amend the administrative code of the city of New York, in relation to securing access for emergency domestic violence shelter.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is hereby amended by adding a new section 21-130 to read as follows:

§ 21-130 Shelter and related services for victims of domestic violence. a. The city shall provide emergency shelter and/or related services to victims of domestic violence to the extent required by sections 131-u and 459-a of the social services law. A victim of domestic violence shall include any person over the age of 16, any married person, or any parent accompanied by his or her minor child or children, in situations in which such person, parent or person's child is a victim of an act which would constitute a violation of the Penal Law, including, but not limited to acts constituting disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder; and

(1) such act or acts have resulted in actual physical or emotional injury

or have created a substantial risk of physical or emotional harm to

such person or such person's child; and

(2) such act or acts are or are alleged to have been committed by a

family or household member.

Notwithstanding any other provision of this section, "Family or household members" shall mean the following

individuals:

(i) persons related by blood or marriage;

(ii) persons legally married to one another;

(iii) persons formerly married to one another regardless of whether they still reside in the same household;

(iv) persons who have a child in common regardless of whether such persons are married or have lived together at any time;

(v) unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; or

(vi) unrelated persons who have had intimate or continuous social contact with one another and who have access to one another's household.

b. Victims of domestic violence who apply for emergency shelter and/or related services pursuant to section 131-u of the social services law may not be denied emergency shelter or related services solely based on lack of documentary evidence of the incidence of domestic violence, such as a police report or order of protection.

§ 2. This local law shall take effect thirty days from its date of enactment.

RN
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